

# SENATE BILL REPORT

## SB 5486

---

---

As Reported by Senate Committee On:  
Natural Resources, Ocean & Recreation, February 12, 2009  
Ways & Means, March 2, 2009

**Title:** An act relating to freshwater lakes management.

**Brief Description:** Requiring a comprehensive lakes management strategic plan.

**Sponsors:** Senators Fraser, Carrell, Jacobsen, Swecker, Kilmer and Shin.

**Brief History:**

**Committee Activity:** Natural Resources, Ocean & Recreation: 2/04/09, 2/12/09 [DP-WM, w/oRec].  
Ways & Means: 3/02/09 [DPS, w/oRec].

---

### SENATE COMMITTEE ON NATURAL RESOURCES, OCEAN & RECREATION

**Majority Report:** Do pass and be referred to Committee on Ways & Means.

Signed by Senators Jacobsen, Chair; Ranker, Vice Chair; Morton, Ranking Minority Member; Fraser, Hargrove, Hatfield and Swecker.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Stevens.

**Staff:** Curt Gavigan (786-7437)

---

### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** That Substitute Senate Bill No. 5486 be substituted therefor, and the substitute bill do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Tom, Vice Chair, Operating Budget; Zarelli, Ranking Minority Member; Carrell, Fairley, Hobbs, Keiser, Kline, Kohl-Welles, McDermott, Murray and Pridemore.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Brandland, Hewitt, Honeyford, Parlette, Rockefeller and Schoesler.

**Staff:** Maria Hovde (786-7710)

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Background:** Washington contains an estimated 7,800 lakes, many of which formed due to glacial movement between 10,000 and 20,000 years ago.

Numerous entities play a role in the management of lakes in Washington including, among others, private landowners; local governments through natural resources, health, and land use planning functions; the Department of Natural Resources as manager of state-owned aquatic lands; the Department of Fish and Wildlife as manager of the state's fish and wildlife and through issuance of hydraulic project approvals; and the Department of Ecology (DOE) through the Shoreline Management Act and its water quality program.

Several state programs exist that provide funding for water quality related activities, including lake management. These programs include the centennial clean water program, which funds water pollution control facilities and activities; the freshwater aquatic weeds management program, which provides funding for technical assistance, public education, and grants to help control aquatic weeds; and the freshwater aquatic algae control program, which provides grants for the treatment of lakes facing harmful algal blooms.

By statute, DOE must appoint an advisory committee to oversee the freshwater aquatic weeds management program. Representatives must include recreational boaters, lake residents, local governments, scientific specialists, and pesticides professionals.

**Summary of Bill (Recommended Substitute):** DOE must prepare a comprehensive lakes management strategic plan (strategic plan). The strategic plan must serve primarily to guide state programs that provide technical and financial assistance to private and other public entities.

The strategic plan must be developed in partnership with a newly created lakes management advisory committee (advisory committee). Membership on the advisory committee must include representation from state and local governments, tribal and federal agencies, a statewide association of lakes management interests, lake residents and users, and at least one scientist with lakes health expertise.

Strategic planning requirements include:

- by December 1, 2009, DOE and the advisory committee must complete a strategic plan element regarding lakes-related technical assistance programs;
- by September 1, 2010, DOE and the advisory committee must complete a strategic plan element regarding lakes protection and restoration, including through monitoring, research, and education and technical assistance; and
- by December 1, 2010, DOE and the advisory committee must also make recommendations on a dedicated funding source for lakes restoration and protection. These recommendations must be based on a goal of providing lakes with no less than 10 percent of state financial assistance to address water pollution.

In addition to its role developing the strategic plan, the advisory committee oversees the freshwater aquatic weeds management program. When overseeing of the freshwater aquatic weeds management program, the advisory committee adds recreational boaters and pesticides professionals to its membership.

If funding for the purposes of this act is not provided by June 30, 2009, in the Omnibus Appropriations Act, this act is null and void.

**EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (Recommended Substitute):** Specifies that if funding for the purposes of this act is not provided by June 30, 2009, in the Omnibus Appropriations Act, this act is null and void.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Original Bill (Natural Resources, Ocean & Recreation):** PRO: Lake owners and all Washingtonians would benefit from a look at lake funding and policy coordination. There is no current comprehensive approach to managing lakes in Washington. Lakes prove tremendous benefits, including scenery, recreation, and ecological services. Problems that exist in a watershed become amplified in its lakes.

CON: The goals of this bill seem to duplicate existing efforts at DOE, such as its existing efforts regarding aquatic weeds and aquatic algae management. In this difficult budget situation, this is not the time to be creating redundant efforts. This bill creates a fiscal impact for the DOE. Although coordinated policy regarding lakes health is a good idea, the state must be cautious about earmarking water quality funds for one specific problem.

**Persons Testifying (Natural Resources, Ocean & Recreation):** PRO: Beth Cullen, Joe Daniels, Washington Lakes Protection Association.

CON: Kammeron Todd, Washington Friends of Farms and Forests; Melodie Selby, DOE.

**Staff Summary of Public Testimony on Original Bill (Ways & Means):** PRO: There has been a diminishment of funds for lakes restoration over the years. The current programs that exist are very oriented toward problems in impaired lakes, which require a lot of money to address. This bill implements a strategic plan that will save money in the long run by looking at all of our lakes and addressing what is needed to keep them healthy.

CON: This bill duplicates programs that already exist within DOE. The water quality programs are already losing money in the Governor's budget and while this may create general oversight the funds would be better served with the existing programs that are already successful at addressing these issues.

**Persons Testifying (Ways & Means):** PRO: Joe Daniels, Washington State Lakes Protection Association.

CON: Kammeron Todd, Washington Friends of Farms and Forests.